

Customer Number: 000959

DIVISIONAL-CONTINUATION APPLICATION TRANSMITTAL FORM
UNDER RULE 1.53(b) (former Rule 1.60)

JCS 42 U.S. PTO
02/02/99

DOCKET NUMBER	ANTICIPATED CLASSIFICATION OF THIS APPLICATION:		PRIOR APPLICATION SERIAL NUMBER: 08/486,814	PRIOR APPLICATION FILING DATE: JUNE 7, 1995
BBI-009C4CN	CLASS:	SUBCLASS:	EXAMINER: D. CLARK	ART UNIT: 1633

ASSISTANT COMMISSIONER FOR PATENTS
 BOX PATENT APPLICATION
 WASHINGTON, DC 20231

Z. J. Bujard
02-02-99

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CERTIFICATION UNDER 37 CFR 1.10

Date of Deposit: February 2, 1999

Mailing Label Number: EL094332137US

I hereby certify that this 37 CFR 1.53(b) request and the documents referred to as attached therein are being deposited with the United States Postal Service on the date indicated above in an envelope as "Express Mail Post Office to Addressee" service under 37 CFR 1.10 and addressed to the Assistant Commissioner for Patents, Box Patent Application, Washington, D.C. 20231.

Viriato G. Cardoso
 Name of Person Mailing Paper

Viriato G. Cardoso
 Signature of Person Mailing Paper

Dear Sir:

This is a request for filing a continuation divisional application under 37 CFR 1.53(b), of pending prior application serial no. 08/486,814 filed on June 7, 1995 of Hermann Bujard and Manfred Gossen, entitled ANIMALS TRANSGENIC FOR A TETRACYCLINE-REGULATED TRANSCRIPTIONAL INHIBITOR which in turn is a continuation-in-part application of serial no. 08/383,754 filed on February 3, 1995. This application is also a continuation-in-part of U.S. Serial No. 08/275,876, filed July 15, 1994, which is a continuation-in-part of U.S. Serial No. 08/270,637, filed July 1, 1994, now abandoned. This application is also a continuation-in-part of U.S. Serial No. 08/260,452, filed June 14, 1994, which is a continuation-in-part of U.S. Serial No. 08/076,327, filed June 14, 1993, now abandoned. This application is also a continuation-in-part of U.S. Serial No. 08/076,726, filed June 14, 1993.

1. Enclosed is a copy of the latest inventor signed application, including the oath or declaration as originally filed. The copy of the enclosed papers is as follows:

- 93 page(s) of specification
- 3 page(s) of claims
- 1 page(s) of abstract
- 15 sheet(s) of drawing
- 10 page(s) of declaration and power of attorney.

I hereby verify that the attached papers are a true copy of the prior complete application serial no. 08/486,814 as originally filed on June 7, 1995.

2. A verified statement to establish small entity status under 37 CFR 1.9 and 1.27, a copy of which is enclosed, was filed in the prior application and such status is still proper and desired (37 CFR 1.28(a)).

3. The filing fee is calculated below:

	NUMBER OF CLAIMS FILED	MINUS	NUMBER EXTRA
TOTAL	26	MINUS ** 20	= 6
INDEP.	2	MINUS *** 3	= 0

MULTIPLE DEPENDENT CLAIMS

SMALL ENTITY		OR	OTHER THAN A SMALL ENTITY
RATE	FEES	RATE	FEES
x 9 =	\$0.00	x 18 =	\$10800
x 39 =	\$0.00	x 78 =	\$0.00
+130 =	\$0.00	+ 260 =	\$0.00
BASIC FEE	\$380.00	BASIC FEE	\$760.00
TOTAL	\$380.00	TOTAL	\$868.00

4. The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to Deposit Account No. 12-0080. A duplicate copy of this sheet is enclosed.

5. The Commissioner is hereby authorized to charge the amount of \$868.00 for payment of the filing fee to Deposit Account No. 12-0080. A duplicate copy of this sheet is enclosed.

6. Cancel in this application original claims _____ of the prior application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)

7. A preliminary amendment is enclosed. (Claims added by this amendment have been properly numbered consecutively beginning with the number next following the highest numbered original claims in the prior application.)

8. Amend the specification by inserting before the first line the sentences: "This application is a continuation application of serial no. 08/486,814 filed on June 7, 1995, pending, which in turn is a continuation-in-part application of serial no. 08/383,754 filed on February 3, 1995, pending. This application is also a continuation-in-part of U.S. Serial No. 08/275,876, filed July 15, 1994, which is a continuation-in-part of U.S. Serial No. 08/270,637, filed July 1, 1994, now abandoned. This application is also a continuation-in-part of U.S. Serial No. 08/260,452, filed June 14, 1994, which is a continuation-in-part of U.S. Serial No. 08/076,327, filed June 14, 1993, now abandoned. This application is also a continuation-in-part of U.S. Serial No. 08/076,726, filed June 14, 1993. The contents of all of the aforementioned application(s) are hereby incorporated by reference."

9. Please abandon said prior application as of the filing date accorded this application. A duplicate copy of this transmittal is enclosed for filing in the prior application file. (May be used if signed by person authorized by §1.138 and before payment of base issue fee.)

10. Priority of application serial no. _____ filed on _____ in _____ is claimed under 35 U.S.C. §119.
 The certified copy has been filed in prior application serial no. _____ filed on _____.
 The certified copy will follow.

11. The prior application is assigned of record to BASF Aktiengellschaft and Knoll Aktiengellschaft.

12. A _____ month extension of time has been submitted in the parent application Serial No. in order to establish copendency with the present application.

13. Also enclosed is/are .

14. The power of attorney in the prior application is to Lahive & Cockfield.

a. The power appears in the original papers in the prior application.
b. Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.
c. A new power has been executed and is attached.

16. Address all future communications (May only be completed by applicant, or attorney or agent of record) to Elizabeth A. Hanley at Customer Number: 000959 whose address is:

Lahive & Cockfield, LLP
28 State Street
Boston, Massachusetts 02109

17. Any requests for extensions of time necessary in a parent application for establishing copendency between this application and a parent application are hereby requested and the Commissioner is authorized to charge any fee associated with such an extension to Deposit Account No. 12-0080.

18. Pursuant to 37 CFR 1.821(e), the computer readable form of the sequence listing for this new application is to be identical with the computer readable form of application serial no. 08/486,814. Please use the computer readable form of application serial no. 08/486,814 in lieu of filing a duplicate computer readable form in this application. Pursuant to 37 CFR 1.821(f), the content of the paper copy of the sequence listing for this new application and the computer readable form of application serial no. 08/486,814 are the same.

February 2, 1999
Date

LAHIVE & COCKFIELD, LLP
28 State Street
Boston, Massachusetts 02109
Tel. (617) 227-7400


Elizabeth A. Hanley
Reg. No. 33,505
 inventor(s) filed under §1.34(a)
 assignee of complete interest
 attorney or agent of record